

**ATTACHMENT 2  
EXHIBIT B - CONDITIONS OF APPROVAL  
DRC2014-00148 JOHANNESSEN**

**Approved Development**

1. This approval authorizes:
  - a. A modification of the distance requirement between a secondary dwelling and a primary dwelling from 50 feet to 110 feet;
  - b. A 800 square foot single level secondary dwelling;
  - c. A maximum height of 35' (as measured from average natural grade).

**Conditions required to be completed at the time of application for construction permits**

***Site Development***

2. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

***Fire Safety***

3. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project and dated June 22, 2015.

***Services***

4. **At the time of application for construction permits**, the applicant shall provide a final will-serve letter from Nipomo Community Service District stating they are willing and able to service the property.
5. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

***Fees***

6. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

**Conditions to be completed prior to occupancy or final building inspection/establishment of the use**

7. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cal Fire of all required fire/life safety measures.
8. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

***Limitation on Use***

9. **Prior to final building inspection/establishment of the use**, the applicant shall execute a covenant and agreement with the County in a form acceptable to the County Counsel whereby the applicant agrees, on behalf of himself and his successors in interest to restrict the use of the secondary dwelling as accessory to the primary dwelling and the owners of the site will occupy one unit on the site as his or her primary

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residence. The agreement shall also include a provision notifying any subsequent purchaser that failure to meet this requirement will subject the second unit to abatement by the County in compliance with Section 22.10.

### **On-going conditions of approval (valid for the life of the project)**

10. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
11. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.